

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Mexico

Anne George

Plaintiff

v.

United States of America, et al.

Defendant

Civil Action No. 09-cv-851

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Thomas Vilsack
Secretary
United States Department of Agriculture
1400 Independence Avenue, S.W., Room 200-A
Washington, D.C. 20250

A lawsuit has been filed against you.

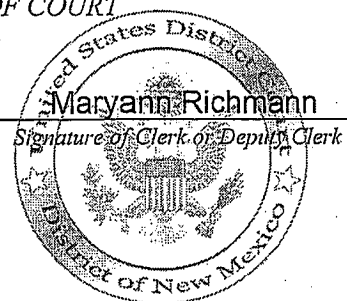
Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

James M. Manley
Mountain States Legal Foundation
2506 South Lewis Way
Lakewood, Colorado 80227

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: Friday, September 04, 2009



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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))*

This summons for (name of individual and title, if any) Thomas Vilsack, Secretary
 was received by me on (date) September 4, 2009

- ☐ I personally served the summons on the individual at (place) _____
 _____ on (date) _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or
- ☐ I served the summons on (name of individual) _____, who is
 designated by law to accept service of process on behalf of (name of organization) _____
 _____ on (date) _____; or
- ☐ I returned the summons unexecuted because _____; or
- ☒ Other (specify): Delivered via certified mail on September 10, 2009 pursuant to
 FRCP 4(i)

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: October 14, 2009


 Server's signature

Jane E. Larrew/Legal Assistant
 Printed name and title

Mountain States Legal Foundation
 2596 S. Lewis Way
 Lakewood, CO 80227

Server's address

Additional information regarding attempted service, etc: